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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,738	04/13/2004	Morris Peng	MR2349-1009	4615
4586	7590	08/25/2006	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			LU, ZHIYU	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/822,738	PENG, MORRIS	
	Examiner	Art Unit	
	Zhiyu Lu	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Hin (US2005/0047071).

Regarding claim 1, Hin anticipates an MP3 broadcasting device, which is plugged into a cigarette-lighter socket inside a car and externally connected with an electronic device (paragraphs 0007-0008), the MP3 broadcasting device comprising:

a cigarette-lighter plug for plugging into the cigarette-lighter socket to acquire a first electric power (paragraph 0024);

a transmission module for receiving a first music signal output from the electronic device (paragraph 0023);

a playing module for processing the first music signal to output a second music signal capable of being heard (paragraph 0024); and

a frequency modulation (FM) radio module for transmitting the second music signal (paragraph 0016).

Regarding claim 2, Hin anticipates the limitation of claim 1.

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Hin also anticipates the transmission module comprises:

a connecting interface; and a transmission controller for controlling the connecting interface to access data (paragraph 0023).

Regarding claim 3, Hin anticipates the limitation of claim 2.

Hin also anticipates the connecting interface is a universal serial bus (USB) or an Institute of Electrical and Electronic Engineer 1394 (IEEE 1394) bus (paragraph 0023).

Regarding claim 4, Hin anticipates the limitation of claim 2

Hin also anticipates the transmission controller is a USB OTG chip, a USB host controller or an IEEE 1394 control chip (paragraph 0023).

Regarding claim 5, Hin anticipates the limitation of claim 1.

Hin also anticipates the cigarette-lighter plug comprises:

a plug interface for plugging into the cigarette-lighter socket; and a direct current (DC) voltage regulator for converting the first electric power acquired via the plug interface into a second electric power suitable for the MP3 broadcasting device (paragraphs 0013, 0024).

Regarding claim 6, Hin anticipates the limitation of claim 1.

Hin also anticipates the playing module is an MP3 decoder (paragraph 0008).

Regarding claim 7, Hin anticipates the limitation of claim 1.

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Hin also anticipates the FM radio module is an FM transmission chip (35 of Fig. 4).

Regarding claim 8, Hin anticipates the limitation of claim 1.

Hin also anticipates the electronic device has music files inside (paragraphs 0017 and 0023, where external storage devices such as personal computer and flash memory inherently have music files inside since Hin's invention is a digital audio player).

Regarding claim 9, Hin anticipates the limitation of claim 1.

Hin also anticipates the electronic device is a pen driver or an MP3 playing device (paragraph 0023, where a personal computer is a MP3 playing device).

Regarding claim 10, Hin anticipates the limitation of claim 1,

Hin also anticipates further comprising a control module used to issue a command including play, stop, fast forward (FF), fast rewind (FR), repeat and random play (paragraph 0023).

Regarding claim 11, Hin anticipates the limitation of claim 1.

Hin also anticipates further comprising a frequency-setting module for inputting a preset frequency into the FM radio module (paragraphs 0026 and 0029).

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Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vuong Quochien can be reached on (571) 272-7902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu
August 10, 2006

zh

Quochien B. Vuong 8/15/06

QUOCHIEN B. VUONG
PRIMARY EXAMINER